

# CITY OF SAN CLEMENTE

## City Council Minutes

### Regular City Council Meeting – October 7, 2014

*These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.*

A Regular Meeting of the San Clemente City Council was called to order on October 7, 2014 at 5:03 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Brown.

**PRESENT** BAKER, DONCHAK, EVERT, HAMM\*, MAYOR BROWN  
Mayor Pro Tem Hamm arrived at 5:14 p.m. and left the meeting at 9:55 p.m.

**ABSENT** NONE

**STAFF PRESENT** James Makshanoff, City Manager; Jeff Oderman, City Legal Counsel; Joanne Baade, City Clerk; Laura Campagnolo, Deputy City Clerk

### **CLOSED SESSION**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to recess to Closed Session at 5:03 p.m. to discuss the following:

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, pursuant to Government Code Section 54956.8:

Property: Vista Hermosa Sports Park, 987 Avenida Vista Hermosa, San Clemente

Agency Negotiator: James Makshanoff, City Manager

Negotiating Parties: City of San Clemente and Surf N' Turf Paradiso, LLC

Under Negotiation: Price and terms of payment

*Closed Session items continued on following page*

B. Capistrano Shores, Inc. v. City of San Clemente:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, pursuant to Government Code Section 54956.9(a):

Capistrano Shores Inc. v. City of San Clemente (OCSC No. 30-2014-00708545-CU-WM-CXC)

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, pursuant to Government Code Section 54956.9(a):

Capistrano Shores Inc. v. City of San Clemente (OCSC No. 30-2014-00709987-CU-EI-CXC)

3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, pursuant to Government Code Section 54956.9(a):

Capistrano Shores Inc. v. City of San Clemente (OCSC No. 30-2014-00726889)

In attendance for the Closed Session were all members of the City Council (Mayor Pro Tem Hamm arrived at 5:14 p.m.). Also in attendance for the full Closed Session were City Manager Makshanoff, City Legal Counsel Oderman, Assistant City Manager Sund and City Clerk Baade. Community Development Director Holloway and Building Official Jorgensen were in attendance for Closed Session Item B only.

**MEETING RECONVENED**

Council reconvened at 6:04 p.m., with all members present.

**INVOCATION**

David Keehn, Chaplain, Orange County Fire Authority (Battalion 6), gave the invocation.

**PLEDGE OF ALLEGIANCE**

City Manager Makshanoff led the Pledge of Allegiance.

## **Conduit Financing for the Presidio – 105 Avenida Presidio**

Mayor Brown announced that the Public Hearing for conduit financing for The Presidio, a 72 unit senior multifamily rental housing project at 105 Avenida Presidio, that was originally published to occur at this meeting, will not take place at this point in time; advised that the Public Hearing will be readvertised when the project is ready for Council consideration.

### **1. SPECIAL PRESENTATIONS**

#### **A. Proclamation - Purple Heart Cities**

This presentation was deferred to the October 21, 2014 City Council meeting.

#### **B. Certificate of Recognition - Condor Squadron**

Mayor Brown and Councilmember Baker presented a Certificate of Recognition to Chris Rushing, on behalf of the Condor Squadron, in appreciation of the Condor Squadron's 4<sup>th</sup> of July flyover.

#### **C. Saddleback Memorial Hospital – San Clemente Campus**

Community Development Director Holloway provided introductory remarks.

In response to an inquiry from Mayor Pro Tem Hamm, City Legal Counsel Oderman confirmed that Mayor Pro Tem Hamm does not have a conflict of interest and need not recuse himself from participation on this item because of his employment with the Orange County Fire Authority.

Dr. Sam Stratton, Orange County Emergency Medical Services (EMS), stated that when an emergency room is scheduled for closure, the County is required to conduct an impact analysis, which is submitted to the California Department of Public Health for evaluation; explained that Orange County EMS is required by state law to submit an annual EMS plan which is approved by the California EMS Authority; stated the City of San Clemente is responsible for administering its ambulance services and cautioned the City to be cognizant of this fact; asserted that the County has a responsibility to ensure that the San Clemente Campus of Saddleback Hospital is capable of handling critical cases which are handled by County EMS; stated that San Clemente Hospital has not notified the County that it intends to close; stated if the hospital is not capable of managing EMS traffic, the County will de-designate the hospital as an EMS receiving center.

Chief Kirk Wells, Orange County Fire Authority (OCFA), noted that the OCFA is aware of the potential closure of the hospital and has met with hospital staff; stated that the OCFA will develop models of anticipated impacts associated with a change from the hospital's emergency room to an outpatient center.

Lt. Dave Moodie, San Clemente Police Services, indicated closure of the San Clemente Campus of Saddleback Hospital would have a negative impact on San Clemente Police Services Deputies; stated the greatest impact would be the necessity for deputies to travel to Mission Hospital and other regional facilities.

Julie Puentes, Hospital Association of Southern California, spoke on the purpose of the Hospital Association and financial challenges facing hospitals; stated California laws differ from other states across the nation in that California does not allow stand-alone emergency rooms and noted that Contra Costa County is interested in the concept of a stand-alone emergency room.

Adam Atamian, Associate Planner, spoke concerning zoning issues related to the hospital site and narrated a PowerPoint entitled "Saddleback Memorial Medical Center Site". A copy of the PowerPoint is on file in the City Clerk Department.

Erik Sund, Assistant City Manager, indicated that he contacted the cities of Dana Point and San Juan Capistrano; stated Dana Point has heard concerns from its citizens, and San Juan Capistrano has not heard anything from its citizens in regards to the closure of the San Clemente Hospital; displayed a map of emergency rooms and trauma centers in Orange County. A hard copy of the map is on file in the City Clerk Department.

Dr. Steve Cullen, San Clemente, indicated hospital employees have received termination packages, services are diminishing, and equipment is being removed from the hospital; suggested that the actions of Memorial Care demonstrate its intent to close the hospital.

Steve Geidt, CEO of Saddleback Memorial Medical Center, explained that small general acute care hospitals are becoming unsustainable and summarized the reasons therefor; opined that an outpatient ambulatory center would serve a greater number of patients each year; related that Orange County EMS and the Orange County Fire Authority are studying the possibility of transporting ambulance traffic to select outpatient centers.

Dr. Marc Taub, on behalf of San Clemente Campus of Saddleback Hospital, reviewed the number of patients who visit the emergency room and pointed out that the majority of San Clemente Hospital's clientele are non-emergency patients; stated that a well-run urgent care with access to acute care equipment could effectively treat most patients at a significantly reduced cost.

Tony Struthers, Administrator of San Clemente Campus of Saddleback Hospital, suggested a high quality outpatient facility would better serve the community; indicated the new facility will offer more jobs than are currently provided; opined that a state-of-the-art facility will better address the community's health care needs; asserted that transparency is important and stated that there will be a series of public meetings.

Duane Cave, South Orange County Economic Coalition, offered assistance as an independent third party to facilitate an ad hoc committee concerning the closure of the hospital.

Alex Lazarz, San Clemente, suggested that San Clemente's population necessitates an emergency room.

Pete Curran, San Clemente, spoke of his experience as a City of San Clemente Firefighter/Paramedic and Orange County Fire Authority Firefighter/Paramedic and provided examples of lifesaving events whereby he transported patients to San Clemente Hospital; spoke against the closure of San Clemente Hospital.

Susan Ritschel, San Clemente, speaking on behalf of herself, thanked Council for undertaking the hospital issue; suggested Council collaborate with Saddleback Memorial Care on the City's needs as outlined in the General Plan; urged Council to consider the I-5 improvement project, which will disrupt traffic and decrease response and transport times to other emergency facilities.

Mark Carter, Dana Point, spoke in support of San Clemente Hospital and voiced concerns about its closure.

Dr. Jim Sperber, San Juan Capistrano, expressed concern with the turnaround time for paramedics who stay with patients until they are "bedded" at the hospital; opined that if medic units are forced to go to Mission Hospital, it will take paramedics out of service for other emergency calls during that same time frame.

Dr. Nancy Boerner, Chief Medical Officer for Monarch Healthcare, stated that ambulatory care is the new focus for medical care; stated that an increased number of medical procedures are being performed in ambulatory care centers; asserted that a high-quality, advanced urgent care center would be of value to residents.

Dr. Nick Karalides, San Clemente, suggested that closing the emergency room at San Clemente Hospital will increase mortality rates; stated that the City has existing urgent care facilities and does not need an additional outpatient facility.

Carol Wilson, Capistrano Beach, spoke of her recent treatment in the emergency room at San Clemente Hospital and voiced concerns over its potential closure.

Patti Brotherton, President of the Homeowners Association for The Gallery in Talega, stated the residents of The Gallery feel strongly that the San Clemente Campus of Saddleback Hospital should remain open.

Donna Vidrine, San Clemente, expressed interest in working with Saddleback Memorial Hospital to keep the San Clemente campus open; stated San Clemente needs an emergency room and an operating room.

Warren Vidrine, San Clemente, spoke of the importance of San Clemente having its own hospital; explained the healthcare term "golden hour" as it relates to emergency response to life-threatening situations; suggested that the closure of the San Clemente hospital would result in higher mortality rates.

Randy Newkirk, San Clemente, spoke on the importance of a local community hospital; stated citizens will not receive the same level of care at an urgent care facility; voiced concerns with the time it will take to transport patients to Mission Hospital.

Dolores Padgett, San Clemente, spoke in support of San Clemente Hospital and conveyed appreciation for the care she received at the hospital.

Renee Taylor, San Juan Capistrano, spoke of the human impact from the closure of the San Clemente Campus of Saddleback Hospital; indicated that her mother received lifesaving treatment at the hospital and urged Council to discourage the closure of the hospital.

Wayne Brown, Tustin, read a letter from San Clemente residents Jim and Kelly Bieber, who were unable to attend the Council meeting, indicating their support of a new ambulatory center at the San Clemente Campus; urged Council to support Saddleback Memorial in the process.

Dr. Berigoj Stambuk, San Clemente, commented on the impact that insurance companies and corporate America have on physicians; spoke of his recent stay at San Clemente Hospital and opined that monetary diversions are causing it to be unsustainable.

Mike Clark, San Clemente, Retired Chief Strategy Officer of a healthcare system, requested that the newly appointed task force work with St. Joseph Hospital and Memorial Care Healthcare to determine if the City can qualify for an exception to have a stand-alone emergency room.

Sheila Melen, Dana Point, commended the high level of healthcare she received at San Clemente Hospital; voiced opposition to the closure of San Clemente Hospital.

Renee Velderrain, San Clemente, spoke of her medical history and the quality of care she received at San Clemente Hospital; voiced opposition to the closure of the hospital.

### **MEETING RECESSED**

Council recessed at 8:03 p.m. and reconvened at 8:15 p.m. with all members present.

During the course of deliberations, Council discussed issues and posed questions of the presenters. Council ultimately expressed an interest in establishing an ad hoc committee, with Duane Cave as facilitator/mediator, to consider options relating to San Clemente Hospital. The composition of the committee will be determined by Council at its meeting of October 21, 2014.

Council also requested the following:

1. Information on establishing a hospital district.
2. Copy of the pilot project with the Cities of Huntington Beach, Newport Beach, and Costa Mesa concerning transporting EMS traffic to urgent care facilities, rather than emergency rooms.
3. Contact information for the members of San Clemente Hospital's Board of Directors.
4. Staff to contact Contra Costa County to ascertain information that it acquired concerning the feasibility of establishing stand-alone emergency rooms.
5. Staff to add a page to the City's website that is devoted to the hospital issue.
6. Council agendas for the remainder of the year are to include an update on the status of the hospital issue.
7. The analysis being conducted by the OCFA is to include statistics on the number of emergency calls to which the OCFA responded. The data are to address the magnitude of calls in terms of ranges (during peak and low periods) as opposed to reporting averages.

*Action continued on following page*

8. The analysis being conducted by the OCFA is to address future anticipated response times and methodologies to help response times remain within appropriate levels.
9. Information on the services envisioned for the proposed advanced urgent care facility.

Mayor Pro Tem Hamm left the meeting at 9:55 p.m.

2. **ORAL COMMUNICATIONS (PART 1)**

**Aging in Place**

Nancy Sutherland, Human Affairs Committee, announced a community meeting concerning Aging in Place and invited the public to attend.

**West Nile Virus/San Clemente Hospital Closure**

Jim Dahl, San Clemente, announced that mosquitos have tested positive for West Nile Virus in South San Clemente; reminded residents to take precautions and urged individuals to contact Orange County Vector Control if they find a dead bird; stated that the City of San Clemente has a 5-minute emergency response ordinance and asked Council to keep that in mind when considering the hospital closure.

3. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to waive reading in full of all Resolutions and Ordinances.

4. **CONSIDERATION OF AGENDIZING ITEMS REQUIRING IMMEDIATE ACTION**

None.

5. **CLOSED SESSION REPORT - CITY ATTORNEY**

City Legal Counsel Oderman reported that Council took no reportable actions during this evening's Closed Session.



6. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to approve the Consent Calendar, with the removal of items 6-A(2) and 6-D.

A. **City Council Minutes**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to approve the following:

- (1) Minutes of the Joint Council, Commissions, and Committees Meeting of September 9, 2014.

B. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT) , to receive and file the following:

- (1) Zoning Administrator Adjourned Regular Meeting minutes of September 18, 2014.
- (2) Planning Commission Regular Study Session minutes of September 17, 2014.
- (3) Planning Commission Regular Meeting Minutes of September 17, 2014.

C. **Warrant Register**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to approve the following:

Warrant Nos. 519024 through 519147,  
paid on 9/12/14, in the amount of.....\$ 539,403.61

Wire Transfers Nos. 1304 through  
1308, paid on 9/19/14, and Warrant Nos.  
519148 through 519308, paid on 9/19/14,  
in the amount of.....\$1,207,865.82

Warrant Nos. 519309 through 519505,  
paid on 9/26/14, in the amount of.....\$1,820,308.18

TOTAL WARRANT REGISTER.....\$3,567,577.61

**Payroll Register**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to approve the following:

Warrant Nos. 333 through 335 and Automatic Deposit Advises 18628 through 19005 for the period 9/1/14 through 9/14/14, paid on 9/19/14, in the amount of.....\$ 473,599.62

TOTAL PAYROLL REGISTER.....\$ 473,599.62

E. **Contract Award – Recycled Water Retrofits**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to:

1. Approve the plans and specifications for the City of San Clemente Recycled Water Retrofits, Project No. 13111.
2. Approve, and authorize the Mayor to execute, Contract C14-39 by and between the City of San Clemente and Midori Landscape, Inc. providing for Recycled Water Retrofits, in the amount of \$92,210.

F. **Contract Change Order No. 2 – Emergency Repair and Replacement of Traffic Signal Cabinets at Avenida Pico and Avenida Presidio/Calle Frontera**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to:

1. Ratify the City Manager's determination that an emergency condition existed at Avenida Pico and Avenida Presidio/Calle Frontera due to the damage done to the existing controller cabinets on August 9, 2014. (Project No. 10811)
2. Approve a supplemental appropriation of \$95,000 from the undesignated fund balance to Account 014-817-45300-000-10811, Equipment Replacement of Traffic Signal Cabinets/Electrical Services Reserve Fund from the Capital Equipment Replacement Reserve Fund.

*Motion continued on the following page*

3. Ratify Change Order No. 2 to Contract C13-35, approved by the City Manager with Dynalectric in the amount of \$90,000 to repair and replace the existing traffic signal cabinets and equipment.

G. **Contract Award – FY 2015 Slurry Seal Program**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to:

1. Approve the plans and specifications for the FY 2015 Slurry Seal Program, Project No. 27304.
2. Approve, and authorize the Mayor to execute, Contract C14-40 by and between the City of San Clemente and American Asphalt South, Inc., providing for the FY 2015 Slurry Seal Program, in the amount of \$161,782.62.
3. Authorize the Public Works Director to negotiate and execute a contract change order for cracksealing on the streets listed on Attachment 1 to the Administrative Report, dated October 7, 2014, to the extent any surplus contingency funds permit while staying within the approved project budget.

H. **Contract Award – FY 2015 Major Street Maintenance for Calle Amigo, Calle Descanso, Calle Sorpreso, Calle Macho, Calle Amable, Calle Brisa, Calle Contenta, Calle Dulce, Calle Embocadura and Calle Corral**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to:

1. Approve the specifications for the FY 2015 Major Street Maintenance for Calle Amigo, Calle Descanso, Calle Sorpreso, Calle Macho, Calle Amable, Calle Brisa, Calle Contenta, Calle Dulce, Calle Embocadura and Calle Corral, Project No. 25301.
2. Approve, and authorize the Mayor to execute, Contract C14-41 by and between the City of San Clemente and R.J. Noble Company, providing for Major Street Maintenance for Calle Amigo, Calle Descanso, Calle Sorpreso, Calle Macho, Calle Amable, Calle Brisa, Calle Contenta, Calle Dulce, Calle Embocadura and Calle Corral, in the amount of \$455,604.60.

I. **Parking Prohibition – Avenida De La Estrella**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to:

1. Approve prohibiting parking on the south side of Avenida De La Estrella, at the alternate driveway serving the 500 block of El Camino Real businesses for 20 feet northwesterly.
2. Adopt Resolution No. 14-42 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, ESTABLISHING 'NO PARKING AREAS' ON AVENIDA DE LA ESTRELLA.

J. **Utility Agreements and Easements – Ave. Vista Hermosa Interchange**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to:

1. Approve, and authorize the Mayor to execute, Joint Use Agreement No.101916-1 by and between the City of San Clemente and Pacific Bell Telephone Company (dba AT&T California).
2. Approve, and authorize the Mayor to execute, the Consent to Common Use Agreement No. 101910-1 by and between the City of San Clemente and Pacific Bell Telephone Company (dba AT&T California).
3. Approve, and authorize the Mayor to execute, two communications easements to Pacific Bell Telephone Company (doing business as AT&T California).
4. Authorize the City Clerk to record the subject agreements and easements with the County of Orange Clerk-Recorder.

K. **Notice of Completion - Water Reclamation Plant Odor Control Improvements**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to:

1. Accept the Water Reclamation Plant Odor Control Improvements, Project No. 18604, from the contractor, Newest Construction Company, Inc.
2. Authorize the Mayor to execute, and the City Clerk to record, the Notice of Completion for the Water Reclamation Plant Odor Control Improvements, Project No. 18604. Contract C13-24
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against Newest Construction Company, Inc.
4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

L. **M2 Grant Extension Request - Traffic Signal Synchronization Projects for Avenida Pico and El Camino Real Corridors**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to authorize the Public Works Director to forward a request to the Orange County Transportation Authority (OCTA) for a 12-month extension of Measure M2 Regional Traffic Signal Synchronization Program (Project P) funding for the signal synchronization projects of Avenida Pico and El Camino Real Corridors.

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**ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**

6.A(2) **Regular City Council Meeting Minutes of September 2, 2014**

Council deferred the Regular City Council Meeting Minutes of September 2, 2014 to the Council meeting of October 21, 2014.

D. **Supplemental Funding for Street Lights in the Calle Valle/Los Molinos Utility Undergrounding District**

Following clarification from staff, MOTION BY COUNCILMEMBER BAKER, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to approve a supplemental appropriation of \$25,000 from the General Fund Unassigned Fund Balance to the Los Molinos Street Lights Project Account (001-416-45300-000-14324), to fund new street lights in the Los Molinos area.

7. **PUBLIC HEARINGS**

A. **2013-14 Consolidated Annual Performance Evaluation Report (CAPER) for Expenditure of Community Development Block Grant Funds**

Public Hearing to consider adopting the 2013-14 Consolidated Annual Performance Evaluation Report (CAPER) for Expenditure of Community Development Block Grant Funds.

Housing Programs Planner Obrero narrated a PowerPoint presentation entitled "Community Block Grant (CDBG) Highlights" and responded to Council inquiries. A hard copy of the PowerPoint is on file in the City Clerk Department.

Mayor Brown opened the Public Hearing and there being no one wishing to speak, the Public Hearing was closed.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to approve and adopt the 2013-14 Consolidated Annual Performance Evaluation Report (CAPER) for submittal to the Department of Housing and Urban Development.

**Conduit Financing for the Presidio – 105 Avenida Presidio**

Mayor Brown announced that the Public Hearing for conduit financing for The Presidio, a 72 unit senior multifamily rental housing project at 105 Avenida Presidio, that was originally published to occur at this meeting, will not take place at this point in time; advised that the Public Hearing will be readvertised when the project is ready for Council consideration.

8. **UNFINISHED BUSINESS**

None.

9. **NEW BUSINESS**

A. **Property Assessed Clean Energy (PACE) Financing Programs**

Report from the Public Works Director concerning the possibility of the City joining two Property Assessed Clean Energy (PACE) financing programs.

Assistant City Engineer Bonigut reviewed the contents of the Administrative Report and responded to Council inquiries.

Matt Messina, representing the HERO program, provided Council with an outline of the HERO program and the manner by which it would benefit homeowners.

Gary Headrick, San Clemente, spoke in support of the PACE program and urged Council's support.

Alan Korsen, San Clemente, spoke in support of the PACE program; opined that the program will complement the Sustainability Action Plan; urged Council to approve staff's recommendation.

Council requested a report on the Property Assessed Clean Energy Program (PACE) in one year.

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to:

1. Adopt Resolution No. 14-43 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE CITY OF SAN CLEMENTE TO JOIN THE CALIFORNIAFIRST PROGRAM; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE INCORPORATED TERRITORY OF THE CITY; AND AUTHORIZING RELATED ACTIONS.

*Motion continued on following page*

2. Adopt Resolution No. 14-44 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HERO PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING THE AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERETO TO PERMIT THE HERO PROGRAM SERVICES WITHIN THE CITY OF SAN CLEMENTE.
3. Authorize the City Manager to execute Participation Agreements or related documents, and to approve such actions as are necessary to allow implementation of the CaliforniaFIRST and California HERO programs provided that such agreements and actions do not require expenditure of City funds.

10. **ORAL COMMUNICATIONS (PART 2)**

**Resolution on Decommissioning of San Onofre Nuclear Generating Station (SONGS)**

Gary Headrick, San Clemente, requested that Council consider adopting a resolution concerning decommissioning of SONGS and opposing the storage of spent nuclear waste on the site.

11. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

None.

C. **City Attorney**

None.



**D. Council Members****Resolution on Decommissioning of SONGS**

Councilmember Donchak requested an item be agendaized for the November 6, 2014 City Council meeting that addresses the decommissioning of SONGS and that supports relocating spent nuclear waste.

**Orange County Public Library Advisory Board Meeting**

Councilmember Donchak reported on her attendance at a recent Orange County Public Library Advisory Board Meeting and noted that County staff notified her that the Library project is \$60,000 over budget; requested that staff ensure that the \$60,000 overage is paid from the County budget, as opposed to the City budget; stated the Book Mobile is almost ready to come to San Clemente and requested staff to follow-up on the Book Mobile being located at the Vista Hermosa Sports Park; noted Steve Franks with the County invited Council to participate in a tour of the library project.

**Blood Drive at San Clemente Community Center**

Councilmember Baker invited the public to attend the blood drive on October 10, 2014 at the San Clemente Community Center.

**San Clemente High School Homecoming Parade**

Councilmember Baker announced that the San Clemente High School Homecoming parade will take place on Friday, October 10, 2014 at 3:00 p.m. on Avenida Del Mar and invited the public to attend.

**SONGS Community Engagement Panel**

Mayor Brown invited members of the public to attend the upcoming SONGS Community Engagement Panel in San Juan Capistrano on Thursday, October 9, 2014 and Tuesday, October 14, 2014.

**Movies in the Park**

Mayor Brown invited the public to attend the inaugural Movie in the Park event on October 17, 2014 at 6:30 p.m., at Tierra Grande Park; noted that the movie Frozen will be featured.

**Carnival Colossal**

Mayor Brown invited the public to attend Carnival Colossal from October 9 through October 12, 2014 at the Vista Hermosa Sports Park.

**Transportation Corridor Agency**


Councilmember Evert displayed a chart from the Transportation Corridor Agency showing that San Clemente has 21% of the account penetration for the Transportation Corridor Agency. A hard copy of the chart is on file in the City Clerk Department.

12. **RESOLUTIONS/ORDINANCES**

None.

13. **ADJOURNMENT**

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to adjourn at 10:43 p.m. The next Regular Council Meeting will be held on October 21, 2014 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be considered at 5:00 p.m. The Regular Business Meeting will commence at 6:00 p.m.



MAYOR of the City of  
San Clemente, California

  
CITY CLERK of the City of  
San Clemente, California